

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney
JOANN M. SWANSON (SBN 88143)
Chief, Civil Division
OWEN P. MARTIKAN (SBN 177104)
Assistant United States Attorney

450 Golden Gate Avenue, 9th Floor
San Francisco, California 94102-3495
Telephone: (415) 436-7241
Facsimile: (415) 436-6748
Email: owen.martikan@usdoj.gov

Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JANE DOE and MARY ROE,
Plaintiffs,
v.
THE UNITED STATES OF AMERICA,
GENERAL MICHAEL W. HAGEE,
Commandant of the U.S. Marine Corps,
THE U.S. MARINE CORPS, DONALD C.
WINTER, Secretary of the Navy, THE U.S.
NAVY, BRIAN FUKUSHIMA, JOSEPH
DUNZWEILER, and DOES 1-10,
Defendants.

No. C 06-01777 MHP
E-FILING CASE

**STIPULATED PROTECTIVE ORDER
GOVERNING THE RELEASE AND
USE OF CONFIDENTIAL
DOCUMENTS**

Subject to the approval of this Court, plaintiffs Jane Doe and Mary Roe and defendants General Michael Hagee, The United States Marine Corps, Donald C. Winter, The United States Navy, and The United States of America, by and through their undersigned counsel, hereby stipulate to the following protective order:

WHEREAS, the parties agree that entry of the following protective order is necessary to:
(1) facilitate discovery of information without a document-by-document controversy concerning confidentiality; (2) protect plaintiffs, defendants, the United States Marine Corps, and the United States Navy from undue annoyance, embarrassment, oppression, burden, liability, expense and interference with duties resulting from public disclosure or use for purposes other than this

1 litigation of confidential information that the parties will disclose in discovery; and (3) avoid
2 violation of the Privacy Act as codified at 5 U.S.C. § 522a.

3 THEREFORE, the parties therefore request that the Court enter the following protective
4 order pursuant to Federal Rule of Civil Procedure 26(c).

5 **STIPULATED ORDER**

6 All medical records or other personal or private documents obtained from plaintiffs and
7 all personnel files obtained from federal defendants, or any document marked "Confidential" by
8 either party (collectively, "Documents"), whether produced in response to discovery requests or
9 other disclosures under the Federal Rules of Civil Procedure, are subject to the following
10 restrictions:

11 1. The Documents and the information contained therein shall be used only for
12 purposes of this litigation and not for any other purpose;

13 2. Neither the Documents nor the information contained therein shall be disclosed or
14 provided to anyone other than (a) plaintiffs' attorneys and staff; (b) defendants' attorneys and
15 staff; (c) the parties; (d) actual or potential third-party witnesses and their attorneys; (e) outside
16 experts or consultants retained by any of the parties or their counsel for purposes of this
17 litigation; (f) the Court in further proceedings herein; (g) stenographic deposition reporters for
18 purposes of depositions in this action; and (h) other persons whom the parties mutually agree
19 upon in writing.

20 3. There shall be no reproduction of the Documents except as required by the
21 litigation. Copies, excerpts, or summaries of the Documents may be shown to those authorized
22 in Paragraph 2 for purposes of their involvement in this case.

23 4. Except as otherwise provided in Paragraphs 2 and 3, all of the Documents shall
24 remain in the custody of the parties' attorneys of record during the pendency of the litigation.

25 5. Within 30 days of the termination of this proceeding and the expiration of all time
26 for appeal, all of the Documents, including copies, extracts or summaries thereof, shall be
27 destroyed or returned to counsel for the producing party. Notwithstanding this paragraph,
28 however, the parties' attorneys may retain one copy of each pleading and other document filed

with the Court that contains any of the Documents covered by this Order. Furthermore, nothing in this paragraph shall be construed to require the parties' attorneys to turn over any attorney work-product.

6. Any filings with the Court that include any of the Documents, or any excerpts or summaries of the Documents, or any description of the contents of the Documents, shall be filed under seal in accordance with the Local Rules of this District.

7. This Stipulated Protective Order is without prejudice to the right of any party to seek modification of it from the Court. It shall remain in effect until such time as it is modified, amended or rescinded by the Court and shall survive termination of this action. The Court shall have continuing jurisdiction to modify, amend, or rescind this Stipulated Protective Order notwithstanding the termination of this action.

SO STIPULATED.

SCOTT N. SCHOOLS
United States Attorney

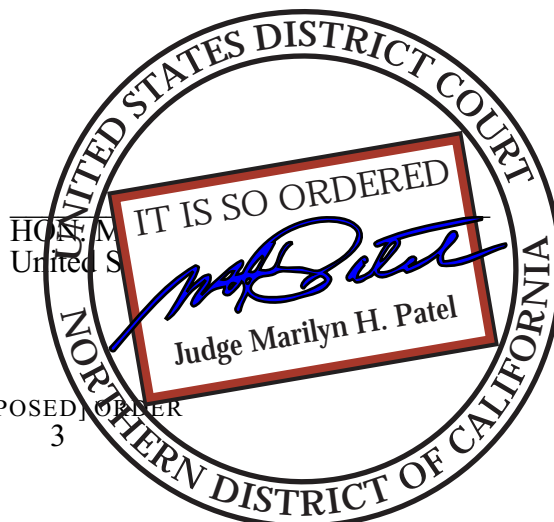
/s/ _____ Date: April 6, 2007
OWEN P. MARTIKAN
Assistant United States Attorney
Attorneys for Federal Defendants

LAW OFFICES OF MICHAEL SORGEN

/s/ _____ Date: March 26, 2007
Attorneys for Plaintiffs

APPROVED AND SO ORDERED.

DATED: April 10, 2007 _____



CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

**STIPULATED PROTECTIVE ORDER GOVERNING THE RELEASE AND USE OF
CONFIDENTIAL DOCUMENTS**

Doe, et al. v. Hagee, et al.
C 06-01777 MHP

to be served this date upon the party in this action by placing a true copy thereof in a sealed envelope, and served as follows:

X FIRST CLASS MAIL by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

_____ FEDERAL EXPRESS via Priority Overnight

_____ EMAIL

_____ FACSIMILE (FAX) Telephone No.: See Below

to the party(ies) addressed as follows:

Michael S. Sorgen, Esq. Emily E. Arnold-Fernandez, Esq. Law Offices of Michael S. Sorgen 240 Stockton Street, Ninth Floor San Francisco, CA 94108 PH: 415.956.1360 FX: 415.956.6342 Email: msorgen@sorgen.net (Sorgen) Email: earnold-fernandez@sorgen.net (Arnold-Fernandez)	Barry Vogel, Esq. Law Offices of Barry Vogel 280 North Oak Street P.O. Box 383 Ukiah, CA 95482 PH: 707.462.6541 FX: 707.462.3253 Email: vogel@pacific.net
Brian Fukushima, Pro Se 19072 Hidden Valley Rd. Middletown, CA 95461 PH: FX: Email:	Joseph K. Dunzweiler, Pro Se 4610 Bennett Valley Rd. Santa Rosa, CA 95404-6242 PH: FX: Email:

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this April 6, 2007 at San Francisco, California.

/s/
LILY HO-VUONG
Legal Assistant